



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 21 1995

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: Removing RCRA Facilities from CERCLIS

FROM: Stephen D. Luftig, Acting Director *Steve Luftig*
Office of Emergency and Remedial Response

Michael H. Shapiro, Director
Office of Solid Waste

TO: Director, Waste Management Division
Regions I, IV, V, and VII
Director, Emergency and Remedial Response Division
Region II
Director, Air and Waste Management Division
Region II
Director, Hazardous Waste Management Division
Regions III, VI, VIII, and IX
Director, Air, RCRA, and Toxics Division
Region VII
Director, Hazardous Waste Division
Region X

PURPOSE:

The purpose of this memorandum is to inform you that certain Resource Conservation and Recovery Act (RCRA) facilities should be removed from the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS), and to transmit guidance to assist you in evaluating and archiving the appropriate sites.

BACKGROUND:

On February 15, 1995, sites designated as No Further Remedial Action Planned (NFRAP) were removed from CERCLIS and archived as a result of Administrator Browner's announcement on Brownfields.

As a follow-up to removing the NFRAP sites from CERCLIS, we have identified additional potential candidates for archiving. The majority of these candidates are sites recorded in CERCLIS as being deferred to the RCRA Subtitle C program. Site listings

identifying these and other archive candidate sites were distributed to each Region at the March, 1995, Superfund Program Management meeting.

ACTION REQUESTED:

Within the next several days, the Office of Emergency and Remedial Response (OERR) will be sending updated potential archive site listings to the Regional Superfund Site Assessment Section Chiefs along with the attached guidelines to assist the Regions in making additional CERCLIS archive determinations. OERR will also provide copies of these site listings to the Office of Solid Waste (OSW) for distribution to Regional RCRA staff.

Included in these listings are approximately 3,000 sites deferred from Superfund to the RCRA Subtitle C program for corrective action consideration. With the exception of the Environmental Priorities Initiative (EPI) which ended in FY92, EPA's policy is that the Superfund Program will generally address RCRA facilities only if the owner/operator is found to be unable or unwilling to perform RCRA Corrective Action at the facility, or meets certain other defined conditions (primarily non- or late filer or converter status). **Regional Site Assessment and RCRA staff should work together to ensure that these sites are being properly addressed by the appropriate program, using the attached guidelines for assistance.** Once a determination has been made, those sites appropriate for deferral to RCRA Subtitle C should be archived in CERCLIS using the new site level archive fields described in the attached guidance.

Sites coded in CERCLIS as "Deferred to RCRA Subtitle C" which after further review are appropriate for further Superfund evaluation should remain in CERCLIS, and the deferred event qualifier should be changed accordingly in CERCLIS/WasteLAN. Prior to reactivating or entering any new RCRA facilities into CERCLIS, the RCRA Program should ensure these facilities meet the specific criteria which would warrant NPL consideration under the NPL/RCRA listing policy. Sites eligible for Superfund consideration may still be archive candidates based on other criteria as outlined in the attached guidance. As always, any changes to site priorities should be justified with a note of explanation in the site file.

Regional Site Assessment and RCRA staff should also work closely with the States to communicate these decisions and to alert them to questions which they may receive from the public.

FOR MORE INFORMATION:

If you or your staff have any questions, please contact Larry Reed (OERR-Hazardous Site Evaluation Division) at (703) 603-8850 or Matt Hale (OSW-Permits and State Programs Division) at (703) 308-8404.

Attachment

cc: Larry Reed
Tom Sheckells
Linda Boornazian
Matt Hale
Steve Caldwell
Liz Cotsworth
Bob Myers
Mike Cullen
Sue Parker
Bruce Diamond
Site Assessment Section Chiefs
Information Management Coordinators